

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the
Establishment of a Public Purpose Program
Surcharge Pursuant to Assembly Bill (AB) 1002.

Rulemaking 02-10-001

**ADMINISTRATIVE LAW JUDGE'S RULING EXCUSING
AVISTA UTILITIES FROM PARTICIPATION IN RESEARCH AND
DEVELOPMENT ISSUES AND EXCUSING WEST COAST GAS
COMPANY FROM PARTICIPATION IN THE PROCEEDING**

This ruling excuses Avista Corporation (Avista) from participation in the research and development issues in Rulemaking (R.) 02-10-001, and excuses West Coast Gas Company (West Coast) from participation in R.02-10-001.

On February 12, 2003, Avista filed a motion for an exemption from in-person participation in the Research and Development (R&D) portion of this proceeding. Avista explains that it has limited R&D activities and that the costs of participation may be significant relative to the small number of customers served by Avista. Since the R&D activities of Avista are materially minor, and the potential costs of participation may unreasonably increase costs to customers, its motion should be granted.

On February 10, 2003, West Coast by letter to the assigned Administrative Law Judge requested that it be excused from active participation in this

proceeding due to lack of resources,¹ but that its name remain on the service list. West Coast is a small utility, and the costs of participation may increase costs to customers beyond the benefits of participation in this proceeding. Therefore, its request should be granted.

Therefore, **IT IS RULED** that:

1. Avista Corporation is excused from in-person participation in the hearings and workshops associated with the research and development portion of this proceeding.
2. West Coast Gas Company is excused from participation in this proceeding, but shall remain on the service list for purposes of information only.

Dated February 20, 2003, at San Francisco, California.

/s/ Bruce DeBerry
Bruce DeBerry
Administrative Law Judge

¹ West Coast current serves approximately 1100 customers.

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Excusing Avista Utilities From Participation in Research and Development Issues and Excusing West Coast Gas Company from Participation in the Proceeding on all parties of record in this proceeding or their attorneys of record.

Dated February 20, 2003, at San Francisco, California.

/s/ Antonina V. Swansen
Antonina V. Swansen

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, *e.g.*, sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.